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Attorney for Plaintiff
 ALISON DAVI, a Minor, by and through her
 General Guardian, GIOLARMA DAVI

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

ALISON DAVI, a Minor, by and through
 her General Guardian, GIOLARMA DAVI,
 Plaintiff,
 v.
 CITY OF SEASIDE, CALIFORNIA,
 KEVIN MILLER and DOES 1 through 25,
 inclusive,
 Defendants.

CIVIL ACTION
 CASE NO.: CV 08-04095 RMW

**STIPULATION TO CONTINUE
 HEARING ON DEFENDANTS' MOTION
 TO DISMISS AND CASE
 MANAGEMENT CONFERENCE AND
 [] ORDER**

Judge: Hon. Ronald M. Whyte

IT IS HEREBY STIPULATED by and between the parties to this Stipulation, by and through their respective counsel of record, that the hearing on defendants Motion to Dismiss be continued from Friday, December 19, 2008 at 9:00 A.M. in Courtroom 6 to Friday, January 30, 2009 at 9:00 A.M. in Courtroom 6. The reason for this continuance is due to calendar conflicts between counsel.

IT IS FURTHER HEREBY STIPULATED by and between the parties to this Stipulation, through their respective counsel of record and is respectfully requested that the Court continue its Case Management Conference, currently set for Friday, January 9, 2009 at 10:30 A.M. to Friday, January 30, 2009 at 10:30 A.M. The reason for this continuance is to allow the

1 Motion to Dismiss to be heard first and, depending upon the Court's ruling upon said motion, the
2 Case Management Conference would follow the hearing, or be removed from calendar.

3 DATED: November 21, 2008

LAW OFFICES OF ROBERT D. PONCE

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5 BY: /s/ Robert D. Ponce
Robert D. Ponce
6 Attorney for Plaintiff, ALISON DAVI, a Minor by
7 and through her General Guardian, GIOLARMA
DAVI

8 DATED: November 23, 2008

HOWARD ROME MARTIN & RIDLEY LLP

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10 BY: /s/ Joseph C. Howard, Jr.
Joseph C. Howard, Jr.
11 Attorneys for Defendants, CITY OF SEASIDE and
KEVIN MILLER

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13 **ORDER**

14 PURSUANT TO STIPULATION, IT IS ORDERED that the hearings on Defendants'
15 Motion to Dismiss and the Case Management Conference be continued to January 30, 2009 at
16 9:00 A.M. and 10:30 A.M., respectively.

17 Dated: 12/4/08

Ronald M. Whyte

18 Hon. Ronald M. Whyte
UNITED STATES DISTRICT JUDGE